INDEX

Abuse of Process of Court, 259
Agency,
  Commission in Europe, 374 *et seq.*
  English and Continental concepts, 179
  forwarding agents, 266
  personal liability to airline, 256
  power doctrine, 321
  undisclosed principal, 254
Air Transport,
  British Airports Authority, 340
  carriers' liability, 341
  convention *re* precautionary arrest of aircraft, 343
  Eurocontrol, 41
  IATA Conditions of Contract, 40
Arbitration,
  condition precedent to bringing an action; whether time bar to action, 42
  consultative case procedure, 257
  European, 332
  recourse to courts, 344
  Trade Association Rules, 343 *et seq.*

Ball-Point Pens,
  utility of, 362
Bank,
  meaning of, 304
Bank Guarantees, 211
Banking,
  cheques, 143, 144
  computer operations, 345, 346
  forgery, 145
  guarantee, 146, 384
  medium-term finance, 146
Bar Association for Commerce, Finance and Industry, 392
Bengtsson, Mr. Jörgen, 211
Bill of Lading, 142, 351, 352
Bischoff Patent, 313 *et seq.*
Board of Trade,
  powers *re* monopolies and mergers, 89-92
Book Reviews, 84, 197–205
British Airports Authority, 340

Canada,
  Supreme Court, 229
Capital Gains Tax, 208
Carriage of Goods by Road, 269
  international carriage, 270, 341
C.I.F. Contract,
  severable, 351 *et seq.*
"Circle Contract," 176
Close Companies, 209
Common Law,
  codification of, 227, 228
Common Market Notes,
  convention on legal persons, 381
  EEC Commission,
    negative clearance of agreements, 81
    restrictive agreement, 80
  European Parliament, 292
  exclusive dealing agreements, 381
  proposed directives,
    pharmaceuticals, cocoa, chocolate and animal feed, 80
    turnover tax, 80, 292, 293
Commonwealth Institutions, 226
  Law Commission, 227
  Supreme Commonwealth Court, 227
Companies,
  affidavit in support of winding up; "principal officer," 46
  balance-sheets not acknowledging debts, 47
  bank as preferential creditor, 45
  criminal liability of, 261
  directors' authority, 317 *et seq.*
  fraudulent preference, 349
  "just and equitable" ground, 347
  law reform, 237–238
  liquidation accounts, 265
  name, change of, 152
  petition for relief, 347
  registration of charges, 150
  rights of bank as creditor, 43
  service of writ, 46
  sole member, 45
  Table A, 151
  voting rights, 148, 149
  winding-up affidavit, 46
  winding-up petitions, 152, 263, 264, 350, 351
  writ, 46
Condition,
  breach of, 353
Confidential Information,
  disclosure of, 307 *et seq.*
Continental Shelf, 3
  exploitation, 3
  exploration, 3
    licence, 3
  Geneva Conference on the Law of the Sea, 3
  natural gas, 3
  oil, 3
  production licence, 3
  Shelf Convention, 3
Contract of Service, 273, 274, 311 *et seq.*
Contracts,
  contract *à l'américaine*, 239
  engineering, 239
  freedom of, 236
  Swiss law, 248
  turn-key, 239, 240

Copyright,
wrongly registered design, 62
Corporation Tax, 208, 209
Covenants,
in restraint of trade, 308 *et seq.*
Criminal Liability of Companies, 261

Damages,
misrepresentation, 303
in Swiss law, 248
Denning M.R., 303, 304, 329
Diplock L.J., 320
Diplomatic Privileges, 5, 97, 98
Directors,
ostensible authority of, 317 *et seq.*

EEC Commission,
equal pay for men and women, 382
freedom of banking, 382
Germany, Federal Republic of, 383
Italy, 382
Nigeria, 382
EFTA Convention, 2
Employment,
felonious acts of servants, 360
protection of employees from fellow employees, 358
safe system of work, 358, 359
termination of, 95
unauthorised acts, 276
Engineering Contracts, 239–251
European Business Law,
agency commission, 374 *et seq.*
European company, 73
European Court of Justice, 79
form, 73
private law, 79
regulation, 77
Shell Transport and Trading Co., Ltd. in Germany, 72
Export Credit Finance, 146
Export of Goods (Control) Order, 1965... 353
Export Trade,
C.I.F. Contract,
retention of documents, 48
severable, 351 *et seq.*
two bills of lading—one ship, 49
F.O.B. vessel, 353
International Sales and the Fertilisers and Feeding Stuffs Act, 50
standard forms of contract, 114 *et seq.*

Factory,
dangerous machinery, 359
definition of, 277
Foreign Capital,
treated income, 370

GATT, 2, 105, 305
Germany,
Federal Republic and EEC Commission, 383
Hague Rules, 143, 178

Hire, Contract of,
liability of hirer, 155
Hire-Purchase,
changes in (Scotland), 53
direct protection, 15
documents, 51
extension of third-party protection, 20
fundamental breach of agreement, 155
guarantee or indemnity, 50
indirect protection, 19
Nigerian legislation, 386
recourse agreements, 353
regulations as to documents, 51
right to recover, 267
Scotland, changes in the law, 53
Home Secretary's Criminal Law Revision Committee, 1

"Incoterms," 114 *et seq.*
Inland Revenue,
valuation practice and estate duty, 372
Inland Transport,
A and B licences, requirements, 157, 158
C licence requirements, 355
exemption clauses in contracts of carriage, 53
liability of haulier, 156, 157
licensing authority powers, 354, 355
vehicle overloading, 355
Institution Conditions,
civil engineers, 249
electrical engineers, 249, 250
mechanical engineers, 249, 250
Insurance,
construction of policy, 357
criminal act, liability, 55
goods "in transit," 54
maintenance of motor-vehicle, 57
motor insurance, 55, 356
motor-vehicle repair and maintenance register, 58
non-disclosure, 356
repair of motor-vehicle, 57
taxation, 270–271
International Atomic Energy Agency, 4
purpose, 4
International Bank,
for Reconstruction and Development, 334 *et seq.*
International Business Transactions, 211
International Centre for the Settlement of Investment Disputes, 336 *et seq.*
International Labour Conference, 95
International Law,
private, 326
Investment Disputes,
convention on settlement of, 334 *et seq.*
Israel,
guarantee, 384
issue of bonus shares, 385
taxation, 390
Italy,
EEC Commission, 382
Judicial Independence,
concept of, 224

Kennedy Round, 103 *et seq.*
Kilmuir, Earl of, 213

Lando, Professor, 326, 327, 329
Law Commissioners, 1, 225
Law Reform,
  sociological factors, 222
  Victorian, 221
Law Reform Committee, 1, 303
Law Reform in England, 219–238
Legal Aid,
  winding-up petition, 152
Legal Meaning of "Bank," 34
  Bills of Exchange Act, 1882...34
  case law, 35
  future, 39
  practical implications, 37
  Protection of Depositors Act, 1963...38
  statutory definitions, 35
Legal Training in Industry, 213–218
Life Assurance,
  taxation on policies, 270

Machinery,
  dangerous parts, 275, 276
Management Law,
  fair wages clauses,
    jurisdiction of Industrial Court, 60
  injury to loaned employee, 59
  National Assistance not deductible in assessing damages for loss of earnings, 61
  restraint of trade, 60, 162, 307 *et seq.*
Mansfield Law Club Papers, 82, 391
Manx Radio, 361
Market Overt, 173
Misrepresentation, Innocent, 235, 288, 303
Monopolies Commission Reports,
  solus sites agreement, 210, 211
Monopolies and Mergers, 89 *et seq.*, 305
Motor Insurers' Bureau, 158, 159

Nationalised Undertakings, 151
Natural Justice,
  expulsion from trades union, 274
Negligence, Professional,
  architects, 160
  solicitors, 161
Nemo dat quod non habet, 173
Nigeria,
  association with EEC, 382
  hire-purchase legislation, 386
Non est factum, 140, 153
Nordic Council, 227
Northern Stock Exchange Association, 351
Nuclear Damage,
  Vienna Convention, 4

Ombudsman, 1
"Open Order" Dealings, 176

Organisation for Economic Co-operation and Development,
  shipping, 93

Parliamentary Counsellor,
  function, 1
  status, 1
Partnership,
  taxation on death of partner, 371
Patents,
  employees' inventions, 279
  foreign drugs and patent grant, 166
  Harris Tweed, 167
  passing off, 278
  war that was not a war, 61
Performing Rights Tribunal, 361
Private International Law, 1, 326
  Law Reform Committee, 1
  Reform of Law of Domicile, 1
Professional Liability,
  stockbroker's advice, 347
Proper Law of Contract, 326 *et seq.*
Public Interest,
  rise of concept of, 232
Publications Received, 88, 205, 398

Redundancy Payments Bill, 271 *et seq.*
Resale Price Maintenance (R.P.M.),
  exemptions from, 282
  loss leader defence, 11
  prohibition, 6
  sanctions, 13
  threats to withhold supplies, 12
Resale Prices Act, 123 *et seq.*, 168, 169
Restraint of Trade,
  employee's duty of secrecy, 162, 163, 307 *et seq.*
Restrictive Trade Practices,
  Black Bolts, 125
  Chemists, 128
  discovery of documents, 63
  galvanised tank agreement, 365
  Net Books, 125, 126, 128
  public interest, 233
  Scottish Monumental Masons, 368
  sulphuric acid case, 63
  supply of petrol to retailers, 363
  Wire Rope, 169 *et seq.*
R.I.B.A.,
  standard conditions, 101, 102

Sale of Goods,
  authority of dealer, 69
  chattels as security, 284 *et seq.*
  "circle contract," 176
  collateral warranties, 288
  fitness and merchantability, 64, 388
  implied conditions, 64
  localisation of a sale, 66
  market overt, 173
  merchantability of second-hand car, 369
  nemo dat quod non habet, 173

Sale of Goods—*cont.*
" open order " dealings, 176
reform of law, 237
sales documents, 69
transfer of title, 67, 130 *et seq.*, 287
unauthorised disposal, 175
Schmitthoff, Clive M., 219
Scotland,
carriage of goods by sea, 177, 370
" open-order " dealings, 176
Scottish Master Monumental Sculptors' Association, 368
Sea Transport,
arbitration, 142
Hague Rules, 70, 143
International Convention for Safety of Life at Sea, 389
International Regulations for Preventing Collisions at Sea, 389
Shipping Conferences, 93, 94, 95
Solus Sites Agreements, 210, 280 *et seq.*
South Africa,
negotiable instruments, 384
sale of goods—fitness, 388
Spanish Champagne Case, 204
Stamp Duty,
evasion, 290
Stare Decisis, 228 *et seq.*
Statutes,
interpretation of, 231
Stock Exchange,
requirements before quotation, 153, 252 *et seq.*
sub-contracting, 243 *et seq.*
Syria,
nationalisation measures, 388

Tariffs, 103 *et seq.*
Taxation,
earned or unearned income, 289
economics of, 207–210
estate duty, 372
foreign capital as income, 370
partnership, 371
Scotland,
earned or unearned income, 71
on life assurance, 270
Trade Association,
arbitration rules, 343 *et seq.*
Trade Disputes,
injunctions in, 361
Trade Marks,
drug patents, 363
Harris Tweed, 63
Roulette wheel, design of, 361
Veil, 5
West Zeiss, 62
Trade Secrets,
protection of, 307 *et seq.*
Trade Union Law, 97, 361
Trade Unions,
expulsion from, 274
Trustee Investments,
action taken by trustees in general, 24
application of the Act, 27
before the Act, 22
bonus and rights issues, 32
definition of wider range investments, 32
effect of power to postpone, 28
flexibility, 29
market position in 1961...23
power to postpone, 28
rights issue, 32
special range investments, 25
three years after the Act, 22
trustees' duty under Act, 26
wider range, 32
withdrawals from fund, 31
Trusts,
disclosure of documents, 146, 147
Turn-key Contracts, 239 *et seq.*

Ultra Vires Rule,
nationalised undertakings, 151
United Nations Economic Commission for Europe,
General Conditions of Sale, 100, 101
United States,
jurisdiction of courts, 94, 95

Vienna Convention on Civil Liability for Nuclear Damage, 4

Warranty,
breach of, 303, 353 *et seq.*

Yugoslavia,
exchange control, 385
law on business, 386

PRINTED IN GREAT BRITAIN
BY
THE EASTERN PRESS LTD.
OF LONDON AND READING